

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

April 23, 2014

The meeting was called to order at 4:00 p.m. by Chairman Phil Conder at 1355 W 3100 S., West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson , Phil Conder, and Clover Meaders

ABSENT

Terri Mills and Latai Tupou

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Steve Lehman, Jody Knapp, Kevin Despain, Lee Logston, and Nichole Camac

AUDIENCE

Approximately sixteen (16) people were in the audience

ZONE CHANGE APPLICATIONS

Z-1-2014

Fieldstone Homes

3700 South 6400 West

A to R-1-10

6.18 acres

Fieldstone Homes has requested a zone change for a 6.18 acre parcel at 3700 South 6400 West from A (agriculture, minimum lot size of ½ acre) to R-1-10 (single family residential, minimum lot size 10,000 square feet). Surrounding zones include A to the north and west, R-1-8 (single family residential, minimum lot size 8,000 square feet) to the east and A and R-1-10 to the south. The property is surrounded by vacant/agricultural ground to the north, west and south and single family homes to the east along 6400 West. The subject property is designated as large lot residential, which anticipates 2 to 3 units/acre, in the West Valley City General Plan. The General Plan also indicates the need for a park in this area.

A separate rezone application (Z-2-2014) from A to R-1-10 has been submitted by Hallmark Homes for the property directly north and west of the subject property.

General Plan and Zoning History

Back in 1997, the City Council directed staff to identify vacant or agricultural properties planned for residential use and propose General Plan/zone changes that would result in density reductions for these properties to provide a greater variety of lot sizes within the City. In keeping with this direction, the General Plan designation on the Newton Family Farm property, which includes the subject parcel, was changed from low density residential (3 to 4 units/acre) to large lot residential (2 to 3 units/acre). A portion of the Newton Family Farm property was also rezoned from R-1-8 to A.

In 2005 a General Plan/zone change application was submitted to change the General Plan from large lot residential to low density residential and the zoning from A to R-1-8 on a portion of the Newton Family Farm property. This application was denied by the Planning Commission. In 2006 another application was submitted by Eric Bishop to change the zoning on the same property from A to R-1-10. This application was approved subject to a development agreement. Later this same year, Tom Nixon submitted a zone change application from A to R-1-10 for another portion of the Newton Family Farm property. This application was also approved subject to a development agreement. Both development agreements are covered below.

Development Proposal

The applicant has submitted a concept plan, which is attached, that shows the subject property being subdivided into 18 lots yielding a density of 3 units/acre with an average lot size just over 12,000 sq. ft. At the request of staff, the concept plan also shows how the rest of the Newton Family property could potentially be subdivided. As a reminder, a concept plan is included to give the Commission an idea of the potential number of lots and to show how the property could be developed. Generally speaking, concept plans have not been engineered, meaning that storm drainage, topography and utilities have not been accounted for. For this reason, concept plans are subject to change.

As mentioned above, the General Plan designation for this property is large lot residential, which means 2 to 3 units/acre. While the proposed density does comply with the General Plan, it is at the high end of the recommended density. A larger lot zone like R-1-12 would also comply with the General Plan.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(1)(x) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(1)(iii) shall be used as a minimum in all

development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet.”

For the development agreement, the applicant has proposed the attached housing standards. The proposed standards are the same as those proposed by Hallmark Homes in application Z-2-2014.

As discussed above, the City rezoned portions of the Newton Farm that are now owned by Eric Bishop and Tom Nixon to R-1-10 and entered into development agreements on both properties. Staff has included a table that shows how the standards proposed by the applicant compare to minimum standards in the ordinance as well as the standards adopted in the development agreements with Tom Nixon and Eric Bishop. Below are staff’s recommendations for additions/revisions to the proposed development agreement.

1. The exterior of all homes shall be 100% masonry as was done with Eric Bishop and Tom Nixon.
2. Brick or stone shall be used on the front of all homes.
3. All homes shall meet design standards outlined in the point system adopted by the Planning Commission on March 12, 2014 (a copy is attached for reference).
4. The maximum density shall be 3 units/acre.

Staff Alternatives:

- Approval of the zone change to R-1-10 subject to a development agreement that includes the standards proposed by the applicant and all four additions/revisions recommended by staff.
- Approval of a zone change to R-1-12 subject to a development agreement that includes the standards proposed by the applicant and the first three additions/revisions recommended by staff.
- Continuance, for other reasons determined at the public hearing.
- Denial, R-1-12 is a more appropriate zone to accomplish the City Council’s goal to achieve a greater variety of lot sizes within the City.

Applicant:

Jason Harris
12896 Pony Express

Discussion: Steve Pastorik presented the application. Jack Matheson asked what the maximum number of lots would be. Steve replied that if the Planning Commission limited the development to 3 lots per acre the maximum number of lots allowed would be 18. Commissioner Matheson clarified that the layout of the lots and other detailed information would be provided during the preliminary subdivision process. Steve replied yes and added that the concept plan has not been engineered so there could be significant changes.

Jason Harris, the applicant, stated that this property is just a portion of several other properties in the area that will be developing as well. He indicated that he feels this is a great use for the property and a precedent has been set for ‘R-1-10’ zoning when Mr. Bishop and Mr. Nixon’s properties were rezoned. Mr. Harris stated that Fieldstone develops good products and they have offered to match existing Development Agreements in place for neighboring properties.

Commissioner Matheson stated that he feels that ‘R-1-10’ zoning is appropriate if lots are limited to 3 units per acre.

Motion: Commissioner Fuller moved for approval of the zone change to R-1-10 subject to a development agreement that includes the standards proposed by the applicant and all four additions/revisions recommended by staff.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-Z-1-2014- Approved

Z-2-2014

Hallmark Homes

3654 South 6400 West

A to R-1-10

18.5 acres

Hallmark Homes has requested a zone change for three parcels totaling 18.5 acres at 3654 South 6400 West from A (agriculture, minimum lot size of ½ acre) to R-1-10 (single family residential, minimum lot size 10,000 square feet). Surrounding zones include R-1-8 (single family residential, minimum lot size 8,000 square feet) to the north, R-1-8 and A to the east, A to the west and A and R-1-10 to the south. The property is surrounded by vacant/agricultural ground to the south and west, single family homes to the north and single family homes and vacant ground to the east. The subject property is designated as large lot residential, which anticipates 2 to 3 units/acre, in the West Valley City General Plan. The General Plan also indicates the need for a park in this area.

A separate rezone application (Z-1-2014) from A to R-1-10 has been submitted by Fieldstone Homes for the property directly to the south and east of the subject property.

General Plan and Zoning History

Back in 1997, the City Council directed staff to identify vacant or agricultural properties planned for residential use and propose General Plan/zone changes that would result in density reductions for these properties to provide a greater variety of lot sizes within the City. In keeping with this direction, the General Plan designation on the Newton Family Farm property, which includes the subject parcel, was changed from low density residential (3 to 4 units/acre) to large lot residential (2 to 3 units/acre). A portion of the Newton Family Farm property was also rezoned from R-1-8 to A.

In 2005 a General Plan/zone application was submitted to change the General Plan from large lot residential to low density residential and the zoning from A to R-1-8 on a portion of the Newton Family Farm property. This application was denied by the Planning Commission. In 2006 another application was submitted by Eric Bishop to change the zoning on the same property from A to R-1-10. This application was approved subject to a development agreement. Later this same year, Tom Nixon submitted a zone change application from A to R-1-10 for another portion of the Newton Family Farm property. This application was also approved subject to a development agreement. Both development agreements are covered below.

Development Proposal

The applicant has submitted a concept plan, which is attached, with a density of 3 units/acre and an average lot size just over 11,300 sq. ft. At the request of staff, the concept plan also shows how the rest of the Newton Family property could potentially be subdivided. As a reminder, a concept plan is included to give the Commission an idea of the potential number of lots and to show how the property could be developed. Generally speaking, concept plans have not been engineered, meaning that storm drainage, topography and utilities have not been accounted for. For this reason, concept plans are subject to change.

As mentioned above, the General Plan designation for this property is large lot residential, which means 2 to 3 units/acre. While the proposed density does comply with the General Plan, it is at the high end of the recommended density. A larger lot zone like R-1-12 would also comply with the General Plan.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(1)(x) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(1)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD. As part of a development agreement, if homes are permitted with less than 1,600 square feet of finished floor space, the quality of the home and the amount of masonry exterior finish materials shall be increased. For the entire subdivision, the average shall be at least 1,600 square feet."

For the development agreement, the applicant has proposed the attached housing standards. The proposed standards are the same as those proposed by Fieldstone Homes in application Z-1-2014.

As discussed above, the City rezoned portions of the Newton Farm that are now owned by Eric Bishop and Tom Nixon to R-1-10 and entered into development agreements on both properties. Staff has included a table that shows how the standards proposed by the applicant compare to minimum standards in the ordinance as well as the standards adopted in the development agreements with Tom Nixon and Eric Bishop. Below are staff's recommendations for additions/revisions to the proposed development agreement.

5. The exterior of all homes shall be 100% masonry as was done with Eric Bishop and Tom Nixon.
6. Brick or stone shall be used on the front of all homes.
7. All homes shall meet design standards outlined in the point system adopted by the Planning Commission on March 12, 2014 (a copy is attached for reference).
8. The maximum density shall be 3 units/acre.

Staff Alternatives:

- Approval of the zone change to R-1-10 subject to a development agreement that includes the standards proposed by the applicant and all four additions/revisions recommended by staff.
- Approval of a zone change to R-1-12 subject to a development agreement that includes the standards proposed by the applicant and the first three additions/revisions recommended by staff.
- Continuance, for other reasons determined at the public hearing.
- Denial, R-1-12 is a more appropriate zone to accomplish the City Council's goal to achieve a greater variety of lot sizes within the City.

Applicant:

Russ Tolbert
8608 Cima Drive

Neutral:

Linda Hardman
6475 W 3635 S

Discussion: Steve Pastorik presented the application. Jack Matheson asked what the two remaining parcels to the north will be zoned. Steve replied that they will remain their current zoning which is 'A'. He added that these parcels are not included in the subdivision but may eventually be incorporated at a later time.

Russ Tolbert, the applicant, stated that he feels this is a great project for this property. He indicated that he has been working with the property owners of the 2 'A' zoned parcels but have been unsuccessful in coming to an agreement. Mr. Tolbert stated that he would prefer not having to meet the new point system requirements that were recently recommended to the City Council by the Planning Commission. He indicated that he feels the new point system will force homes to look the same and don't allow for variety. Mr. Tolbert stated that Hallmark Homes has a long tradition of building nice homes in the City and they plan to continue doing so. Phil Conder asked if Mr. Bishop

and Mr. Nixon's properties will be required to adhere to the new or old single family home design standards. Steve replied that they would adhere to the old. He stated that the City feels the new standards provide more options for points and will be a good benefit.

Linda Hardman, a neighbor, stated that she is concerned about drainage issues, water pressure in homes, etc. Steve replied that if the Planning Commission recommends approval of the zone change it will forward to City Council. If City Council approves of the zone change the applicant will submit a subdivision application and these types of issues will be worked out at that point. Steve indicated that the applicant will also receive notification of this. Ms. Hardman stated that water runs down her street and it is a big concern. Steve replied that engineering hasn't been done on the property but preliminary discussions have stated that drainage may flow to the east.

Clover Meaders asked how the applicant can be held to the new standards regarding points for single family homes if it hasn't gone to City Council for approval yet. Brandon replied that if the Planning Commission wishes it can require this in a Development Agreement. He indicated that regardless of the outcome of the ordinance the Planning Commission can require that the applicant meet the recommended standards. Brandon indicated that staff must present the ordinance to City Council within 180 days before it becomes void.

Motion: Commissioner Meaders moved for approval of the zone change to R-1-10 subject to a development agreement that includes the standards proposed by the applicant and all four additions/revisions recommended by staff.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-Z-2-2014- Approved

SUBDIVISION APPLICATIONS

PUD-4-2013

The Villages at Westridge North PUD – Final Plat

Henry Walker Homes

R-1-4 Zone

62 Lots

5.81 Acres

BACKGROUND

The Villages at Westridge is a planned community consisting of 155 residential town home units and two commercial pad sites sitting on approximately 17 acres. The original concept for the residential portion of this project consisted of three different residential housing types; courtyard, mansion and traditional town homes.

The Planning Commission granted preliminary subdivision approval in July 2011 and final plat approval for the first phase in September 2012. The first building in this phase is near completion. In September 2013,

Henry Walker Homes submitted phase 2 which is located north of phase 1. The Planning Commission may recall that this phase was for the mansion style product.

The final plat was approved by the Planning Commission that same month. During the final plat review by the City Council, concerns were expressed that the elevations did not reflect a true mansion home. Although the elevations did resemble those used for the development agreement, the item was continued to allow the developer and staff an opportunity to discuss possible solutions.

Over the last few months, Henry Walker Homes has designed a mansion home that more closely resembles a large single family dwelling. During this same time period, staff and Henry Walker have been working on a modified site plan to accommodate the new product. Staff believes that these changes will make a solid community. The site plan creates a better walking community than the previous phase and the absence of garages fronting the main rights-of-way will create a more pleasing street scene. The buildings are larger and will have covered front porches thus bringing residents outside to enjoy the community. An amended development agreement was recently submitted and approved by the City Council allowing this plat to move forward. The applicant is now prepared to request final plat approval for the new subdivision design and building elevations.

STAFF/AGENCY COMMENTS:

Public Works Department:

Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.

Contact Salt Lake County Auditor's Office for approval of street names and subdivision names.

Street improvements shall be installed in accordance with plan and profiles approved by the Engineering Division. The side of the private street opposite the rolled curb and gutter shall have a concrete edge to contain the asphalt.

Flood control issues to be coordinated with Public Works.

Utility Companies:

Standard Utility Easements required.

Kearns Improvement District:

Project is subject to all KID requirements and design standards.

Fire Department:

Proposed fire hydrant locations need to be shown on subdivision plat.

Project shall meet all provisions of Fire Code relating to this type of development. Private street widths shall be a minimum of 26 feet.

Building Division:

Follow recommendations outlined in the soils report.

ISSUES:

The Villages at Westridge North will consist of 62 residential units on 5.81 acres of land. Henry Walker Homes has made a strategic decision to bring this second product type on line rather than move forward with additional phases of the courtyard homes. They believe this will bring attention to this project thus improving their ability to market this development to a broad spectrum of potential residents.

As mentioned previously, a development agreement was reviewed and approved by the Planning Commission and City Council. This agreement addresses a number of issues related to the overall site. Although modifications have been made to the original agreement, all conditions outlined in both agreements will be made part of the approval process. In conjunction with the development agreement, staff would like to address the following items as it relates to this phase of the project:

Access:

Access to this development will be gained from Lake Ridge Drive and from Summer Ridge Drive, both dedicated streets. The right-of-way will consist of a 5-foot parkstrip and 5-foot sidewalk. All other streets within the development will be private. The cross section in the private drives will be 27.5 feet. This will provide 26 feet of pavement and a 1.5 foot rolled gutter. Public Works believes that in addition to the rolled gutter on the private street, the opposite side should have a concrete edge to secure the asphalt. This will help the lifespan of the road and will lessen the potential for failure.

Housing:

Housing for this phase of the development will be 3 and 4-plex town home units. These units have been designed to look like a large single family dwelling. The elevations will have one main entry on the front of the building with other entrances being located on the side of the building and/or a side entrance at the front of the building. Based on the footprint of the structure, there is an abundance of relief and building movement with covered porches and pop-outs.

Proposed square footage is encouraging. From the original approval, square footage has increase by approximately 20 percent. Square footage ranges from 2143 to 2211 square feet. All units will have 3 bedrooms which addresses concerns expressed by the Planning Commission with many projects only having two bedrooms. The third bedroom allows a growing family to stay longer in the home thus prolonging their stay in the community. Per the development agreement, buildings will consist of 100% masonry products.

Parking:

The general parking requirement for all residential development in the City is 2 spaces per unit. In this development, all residential units will have a 2-car garage for parking. In addition, there will be 22 guest spaces which equates to an overall parking ratio of 2.35 spaces per unit. On street parking will be available along Lake Ridge Drive and Summer Ridge Drive as well.

Storm Water:

The developer will be coordinating storm water issues for the entire project with the City's Engineering Division. At this point in the review process, an area located at the northeast corner is projected to handle storm water generated from the overall site.

According to plans submitted by the developer's engineer, the depth of the basin will be larger than originally proposed. The basin will be approximately 4 feet in depth compared to 2.5 feet before. The basin itself is approximately 100 feet by 80 feet. The area in and around the basin will be landscaped and the overall percentage of open space for the overall project is 51%.

Open Space

As part of the overall development, 51% of the project site will be open space. Although not part of this phase, the developer will be deeding an area approximately 1.3 acres in size for use as a City park. According to the development agreement, a certificate of occupancy will not be issued for more than 40 units until construction of the private park spaces has commenced.

Fencing

As per the development agreement, fencing will be installed along the north and east sides of this project. The north side will consist of vinyl fencing while the east side adjacent to 5600 West will be pre-cast concrete. The masonry wall will need to match the wall installed by Ivory Homes as part of the Westridge Estates Subdivision.

Overpressure Zone

This project is located in the outer ring of the overpressure zone. City ordinance will require that certain construction standards be applied for all new dwellings. The developer is familiar with these standards and will coordinate building permit requirements with the building contractor.

Site Management

The developer will provide a Home Owner's Association for the entire project. The association will be responsible to hire a property management company. As per previous PUD applications, staff will recommend that prior to this development being turned over to the association, a meeting with staff, developer and management company take place. This will provide an opportunity to ensure that all development standards and improvements have been completed in accordance with the Planning Commission's approval of this project.

STAFF ALTERNATIVES:

- A. Grant final approval for the Villages at Westridge North PUD subject to the following conditions:
1. That the developer resolve all staff and agency concerns.
 2. That housing comply with the multiple family design standards outlined in the City ordinance.
 3. That the applicant follow the recommendations outlined in the soils report dated August 19, 2008. Although basements are not planned, the City Building Official and City Engineer's office will evaluate for road and building construction.
 4. That the developer provide a landscape plan to be reviewed prior to plat recordation. Said plan shall provide measures to ensure water conservation techniques will be used in accordance with City ordinances.
 5. That all provisions of the West Valley City Fire Department be satisfied.
 6. That the developer resolve any issues regarding irrigation ditches and irrigation water that may be in use.
 7. That compliance be made with Kearns Improvement District, i.e., water line extensions, connections, water rights and fire protection.
 8. That the subdivision name and street names be approved by the Salt Lake County Auditor's Office.

9. That proposed building setbacks be in accordance with the site plan reviewed as part of this application. Slight modifications can be made to this plan if needed in order to accommodate utilities or other infrastructure.
 10. That all conditions related to the development agreement be made part of this approval.
 11. That an entry feature be installed at 5600 West as noted in the development agreement. Said entry feature shall be brought back for Planning Commission review in a future study session.
 12. That building elevations, colors and materials, be in accordance with those presented to the Planning Commission during the April 23, 2014 meeting.
 13. That a note be placed on the plat regarding the overpressure zone.
 14. That all street improvements be in accordance with plan and profiles approved by the Public Works Department. That a concrete ribbon be used along the edge of the private drive opposite the rolled curb and gutter.
- B. Continuation, in order for the developer to address issues raised during the Planning Commission meeting.

Applicant:

Leslie Mascaro
500 N Marketplace

Discussion: Steve Lehman presented the application. Leslie Mascaro, the applicant, stated that she has worked closely with City staff to make these changes which she feels have added a lot architecturally. She added that pedestrian connectivity has also greatly improved, each unit will now have a 2 car garage, and there will be 22 guest parking spaces. Phil Conder asked if the upper balconies are for the middle units. Ms. Mascaro replied that there is a divider so the balcony will be shared between two units. Jack Matheson stated that he toured several Henry Walker Homes in St. George and they are great quality.

Motion: Commissioner Woodruff moved for approval subject to the 14 staff conditions.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-PUD-4-2013- Approved

CONDITIONAL USE APPLICATIONS

C-11-2014

**Victor's Tires Sports Center (Victor Galindo)
2537 S 3270 W**

Use: Indoor Soccer Arena and Event Center
M zone (1.99 acres)

This application was continued from the April 9, 2014 public hearing in order to address issues concerning the shared parking and partition for the event center use.

The applicant, Victor Galindo, is requesting conditional use approval for an indoor soccer arena and Event Center at 2537 S 3270 W. The zoning for this site is M, Manufacturing. The West Valley General Plan designates this area as Heavy Manufacturing. The surrounding uses are various industrial sites. There are no residential uses in the vicinity. The site originally served a moving and storage business for many years. In 2011, the eastern portion of the site was developed and landscaping was installed along the perimeter.

Victor's Tires has supported soccer programs for more than 12 years. They previously operated at another location in West Valley City. Mr. Galindo also intends to host social and special events in the late night hours and during weekends when games are not scheduled.

Building

The building is a total of 15,654 square feet. 2,134 square feet is lobby and office space and the remaining 13,520 square feet is warehouse which is now being converted into the indoor soccer arena and Event Center. The lobby area will be used as office space and for some storage. This area has restrooms that both the indoor soccer arena and Events Center will utilize. They will also be constructing additional bathrooms to accommodate the new uses. Emergency exits will be coordinated to meet building code. The applicant will be installing two additional emergency exits on the north side of the building for the change in building occupancy. There are four large overhead doors on the east side which will not be used. Two overhead doors on the south side were converted to double man doors to serve as the main entrances.

Parking & Site

The site has two entrances, one off 3200 W and one off 3270 W. The applicant would prefer to allow the access off 3200 W to be gated. West Valley Fire Department has requested that the gate be accessible to them.

The parking requirement for sports venues is based on fixed seating of one stall per 4 seats. Mr. Galindo proposes to install fixed bleachers that seat up to 136 persons. There will also be a row of benches for players. This amounts to 34 parking stalls. The site has enough parking capacity to support the indoor soccer use.

The amount of parking stalls will dictate the amount of square footage that can be devoted to the Event Center. The applicant would have to section off the portion of the building that would not be used as event center space. They propose to install a heavy vinyl curtain wall that could span the entire width of the building as a partition. The partition will be open during soccer games but will be drawn during special events.

If the entire building was to function as an event center over 300 parking stalls would be required. At the time of this public hearing, under the current site plan which includes 133 stalls, only 6,650 square feet of Event Center would be permitted. The site is unable to incorporate enough parking for the entire building; therefore, Mr. Galindo is looking at the option of sharing parking space with adjacent property owners. Shared parking can only be considered if an agreement between adjacent property owners can be recorded, the parking stalls are within 400' of main entrances, and no major streets are crossed according to the West Valley Parking Ordinance. Mr. Galindo has an agreement drawn up with Paragon Press to the west. Based on the 400 foot radius, 59 stalls in the north parking area and 18 on the south side for a total of 77 additional parking stalls would qualify. With the shared parking, 210 parking stalls would afford 10,500 square feet of total gross floor area of Event Center use. If the agreement is terminated, then the Event Center use will not have adequate parking and Mr. Galindo will need to reduce the size of the event space.

The applicant intends to remove portions of fencing and install new fencing along the west side of the site. Any dumpsters that are requested shall be shown on the final site plans and screened with a 6' tall masonry enclosure with operable doors.

Lighting

Mr. Galindo will be installing additional light poles to the parking lot such that the minimum required lighting levels are met. The West Valley Parking Ordinance requires a minimum of 0.5 horizontal footcandles of illuminance. The Planning Commission at the Study Session had a concern about lighting levels along 3270 W. There are two street lights on the west side of 3270 W.

Landscaping

Perimeter landscaping was installed as part of the 2011 development of the site. Mr. Galindo will maintain the existing landscaped areas. Additional landscaping will be installed within the parking area. As per ordinance, 15 square feet of landscaping per each stall will need to be installed. The double loaded aisles will be designed and landscaped per ordinance. This will include 5' X 36' landscape areas at each end of the double loaded aisles with 5' X 5' tree diamonds placed no more than 7 parking stalls apart.

Hours & Use

The recreational hours will be every weekday in the evening, all day Saturday, and morning/afternoon on Sunday. The Event Center will operate late hours and weekends. Social events will be scheduled at least one month in advance so that events do not overlap with soccer games.

The applicant will provide security for their events. The security company will have the capability of providing anywhere from 1 to 30 security personnel depending on need. They will also rely on the services of West Valley Police Department if needed as well.

The Events Center will be rented out to outside groups. Since the building does not have a kitchen or serving area, those groups will rely on catering services for event food, drinks, and alcohol. The applicant does have plans in the future of installing a kitchen that will meet Health Department and city standards. All alcohol licensing will be approved through the Department of Alcohol Beverage Control. Victor's Tires Sports Center itself has not requested to obtain their own alcohol license at this time. They have indicated that in order to promote a safe environment for the kids, they will not be serving alcohol during soccer games.

Signage

The building currently has large banners on the east and south side of the building. These will need to be replaced by permanent wall signage if wall signage is desired. The site will be allowed one temporary banner sign as per the West Valley Sign ordinance.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved uses for this site include: Indoor Soccer Arena, Events Center (subject to conditions).
2. The area of the building devoted to the Events Center shall meet the requirements of the West Valley City Parking Ordinance based on the number of parking stalls in the approved site plan. The portions of the building that are not included shall be divided by a partition as approved by the Planning Commission. These portions not included shall not be used for special events.
3. Any shared parking shall meet the requirements found in section 7-9-106 of the West Valley City Parking Ordinance. The space allotted to the Events Center use is contingent on the shared access parking agreement.
4. Any new fencing installed shall meet city standards.

5. Site lighting will meet the requirements of section 7-9-114 'Site Lighting' per approved site lighting plans.
6. All existing landscaping areas shall be maintained.
7. Additional landscaping will be installed in the parking areas as per section 7-9-113 of the West Valley City Parking Ordinance.
8. Special events and soccer games shall be coordinated and scheduled so as not to overlap.
9. Adequate security shall be provided for events.
10. Receptions and special events will meet the alcohol licensing requirements of the Department of Alcoholic Beverage Control.
11. If a dumpster is located on site it must be screened with a 6' tall masonry enclosure with operable doors. The dumpster shall not impede the flow of traffic.
12. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
13. All requirements of affected agencies shall be met including but not limited to the Salt Lake Health Department, West Valley City Fire and West Valley City Public Works.
14. The use is subject to review upon valid complaint.

Continuance, to allow the applicant additional time to address the concerns raised at the public hearing; included but not limited to the issue of shared parking for the Event Center use.

Applicant:

Victor Galindo
1368 W Lancelot

Discussion: Kevin Despain presented the application. Phil Conder stated that it doesn't appear the applicant has contacted the property owner in regards to the shared parking agreement. Kevin stated that the business owner has signed but added that it does need to be the property owner. He stated that the location of the partition will be dictated by the number of parking stalls the applicant is able to acquire via shared parking agreements. Brandon Hill stated that the Planning Commission could make the reception center use contingent upon receiving the needed parking agreements. Chairman Conder clarified that the soccer use is allowed with the current parking. Kevin replied yes. Chairman Conder stated that the amount of space used for the reception center could vary depending on the amount of parking the applicant requires. He stated it would be difficult to specify the location of the partition without knowing how much parking will be gained. Brent Fuller stated that he would like a condition to require that any modifications to shared parking agreements be reported to the City.

Victor Galindo stated the biggest goal he would like to accomplish is to utilize the full space for events and indoor soccer. He indicated he is still trying to acquire enough parking to use the space for the reception center. Kevin stated that if the applicant could remove the lobby portion of the building and acquire enough parking it would allow him enough room. Mr. Galindo replied that he needs the lobby area to store tables, chairs, etc. for the event center. He stated that he won't need to use the old bathrooms since the new ones are being installed. Mr. Galindo stated that he is confident he will acquire the necessary parking and indicated that he would be comfortable with the Planning Commission approving this use contingent on that. Jack Matheson asked why there were discussions about potentially closing one of the entrances. Mr. Galindo replied he originally wanted to do this to gain more parking but it didn't make sense for safety, traffic flow, etc. so he decided to keep it open.

Motion: Commissioner Meaders moved for approval subject to the 14 staff conditions modifying condition 3 to state: Any shared parking shall meet the requirements found in section 7-9-106 of the West Valley City Parking Ordinance. The space allotted to the Events Center use is contingent on the shared access parking agreement. Staff will approve the location of the partition prior to it being used

as an event center; adding condition number 15 to state: All provisions of West Valley City will be met; and adding condition number 16 to state: The City shall be notified to any modifications to shared parking agreements.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-11-2014- Approved

C-12-2014

Ralph L Wadsworth Construction Company
5993 West 2100 South
M Zone (27.62 Acres)

Ralph L Wadsworth Construction Company is requesting a conditional use for the construction of a temporary concrete batch plant at 5993 West 2100 South. This property is zoned manufacturing (M) and the West Valley City General Plan designates this area as light manufacturing.

Ralph L Wadsworth Construction Company would like to erect a temporary concrete batch plant to provide concrete for the SR 201 resurfacing project. The project area extends along SR 201 from 5600 West to 9450 West. Therefore, in order to provide the needed concrete for this project it is important to locate this batch plant facility in close proximity to the work area.

The site is currently owned by DK Investments (Godfrey Trucking). Access to this parcel will be along an existing road to the east of the site on property owned by Rocky Mountain Power. This access will also travel through property that is owned by the Utah Department of Transportation. All parties involved have granted access and approved the use on the property and Staff has been provided copies of these agreements for our records.

The facilities and equipment to be located on site would include a frontend loader, office trailer, generator, batch plant and conveyor belt. The project will begin in April and should be completed by October 2014. Upon completion of the project all of the equipment, facilities and any stockpiled material will be removed and the site will be restored to its original condition.

Staff Alternatives:

- Approval, for a temporary concrete batch plant subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. All equipment, facilities and stockpiled material shall be removed and the site shall be restored to its original condition by December 1, 2014.
 2. Must comply with all other relevant requirements set forth from applicable department and agencies.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Jerrid Herman
166 E 14000 S

Discussion: Jody Knapp presented the application. Jack Matheson asked if the December deadline will allow enough time. Jerrid Herman replied that everything should be done in October.

Motion: Commissioner Matheson moved for approval subject to the 2 staff conditions.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-12-2014- Approved

C-14-2014

Ken Kelter (The Landing Drive-thru)

2778 South 5600 West

C-2 Zone (0.19 Acre)

Ken Kelter is requesting a conditional use amendment for a multi-tenant building with a drive-through for a property located at 2778 South 5600 West. The property is zoned general commercial (C-2) and the West Valley City General Plan designates this area General Commercial. The property also falls within the 5600 West Overlay. Surrounding land uses include commercial to the north, east, and south, with the Highbury Shoppes complex across 5600 West. The Balmoral Townhomes are directly west.

This parcel is currently vacant and is a part of The Landing Retail Center, a multi-building retail development approved as C-42-2005 on February 22, 2006. The original site plan showed two buildings, one with a drive-thru adjacent to 5600 West. At the time of the conditional use approval, the applicant had eliminated the building with the drive-through from his plan and reconfigured the other building into several smaller ones. That original drive-through building was never built and the parcel has been vacant since the original conditional use approval. Parking for the proposed building is already provided on the developed portion of the site and a reciprocal parking agreement with the Department of Workforce Services/Veterans Clinic property. The proposed building is a two tenant building totaling approximately 1,400 sf.

The 5600 West Overlay allows a fast food tenant with a drive-thru provided that it is not a stand-alone business, that the number of non-fast food tenants do not exceed the fast food ones, that the window be placed around the rear or side, and that the view of the drive-thru area be “minimized through landscaping, berming, and/or screening”. At the time of this report, staff and the applicant were still working out the details of the site landscaping and screening of the drive-through lane. Otherwise, the proposed building and site plan meet the other criteria.

Staff Alternatives:

Approval, subject to the resolution of any issues raised at the public hearing, and the following conditions:

1. The drive-through lane shall be screened in accordance with the requirements of the 5600 West Overlay Zone.
2. A revised site plan and landscaping plan shall be submitted detailing all site landscaping and drive-through lane screening.
3. All requirements of affected departments and agencies must be met.

Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Ken Kelter

14203 S Minuteman #200

Discussion: Lee Logston presented the application. Ken Kelter, the applicant, stated that approval was granted for the project in 2006 and three buildings were constructed in 2007. He stated that in 2011 Aloha Dental, an existing business, wanted to own their own building so each building was turned into a condominium. Mr. Kelter stated that this building was originally intended to be a small restaurant so 47 parking stalls were provided. He indicated that the site is well parked and there won't be any issues with this. Mr. Kelter stated that the building will match the others and the screening wall will also match. He indicated that additional landscaping will be provided to provide a greater visual buffer.

Motion: Commissioner Fuller moved for approval subject to the 3 staff conditions.

Commissioner Woodruff seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-14-2014- Approved

C-15-2014

Arnold Machinery

GA Architects (Brad Ashworth)

2975 West 2100 South

M Zone (4.8 Acres)

Arnold Machinery is requesting a conditional use amendment for the construction of a 1,800 square foot wash bay facility on their property at 2975 West 2100 South. This property is zoned manufacturing (M) and the surrounding areas are also zoned manufacturing. The West Valley City General Plan designates this area as light manufacturing and the use on this property is consistent with the surrounding uses.

Arnold Machinery currently operates out of this location and has since the late 1970's (C-414-78). On July 31, 2013 the Planning Commission approved a new 20,000 square foot shop building for the property (C-33-13). This wash bay facility building will be similar in design and materials to that shop building and will be constructed out of metal with a 4' tall concrete foundation. The remaining portion of the site will remain as is which consists of existing asphalt and crushed asphalt in the storage areas.

The landscaping on site consists of a well manicured landscape along the front/northern frontage including trees, shrubs and lawn which complies with the streetscape standards on major arterials. The frontage along

Arnold Way (east side) will not be modified as part of this application and the existing fencing will remain. Landscaping in the parkstrip along on Arnold Way was a condition of approval for the shop building and will be completed prior to issuance of the Certificate of Occupancy for that project. That landscaping will consist of rock mulch with one tree planted every 30'.

No signage is proposed as part of this project however, if any additional signage is added at a later date it must comply with the Sign Ordinance and requires a separate building permit.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:
 1. The new building shall be constructed per the approved plans and will match the new shop building.
 2. The surfacing on site shall be improved immediately adjacent to the wash bay building per the approved plans. The existing asphalt and crushed asphalt areas shall remain and be maintained in good condition.
 3. The landscaping along the frontage on Arnold Way shall be completed per C-33-13 and consist of rock mulch with trees planted one every 30' per the approved landscape plan.
 4. Any signage shall comply with the City Code and require a separate building permit submittal.
 5. Must comply with all other relevant requirements set forth from applicable department and agencies.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Brad Ashworth
3032 S 1030 W

Discussion: Jody Knapp presented the application. Brad Ashworth stated he attended a Development Meeting and will work with the City on meeting all requirements. Phil Conder stated the landscaping has always been really nice at this location.

Motion: Commissioner Woodruff moved for approval subject to the 5 staff conditions.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-15-2014- Approved

C-16-2014

Valley Recreation & Rental LLC (Cody Cross)

4344 W 3500 S

Use: U-Haul Neighborhood Dealer

C-2 zone (.19 acres)

The applicant, Cody Cross representing Valley Recreation & Rental, is requesting conditional use approval to operate as a U-Haul Neighborhood Dealer at 4344 W 3500 W. The zoning for this site is C-2, General Commercial. The leasing of trailers, moving trucks, and rental equipment is a conditional use in this zone. All the properties along this portion of 3500 S are zoned C-2. The first 250 feet of this property is zoned commercial with the remaining 380 feet in the rear being zoned residential. The portion of property of this application is entirely within the commercial zone. There are no plans to develop the residential portion at this time. There is a residential home to the west, but is zoned commercial. The West Valley General Plan designates this area as Mixed Use.

Building

The building is approximately 1,000 square feet in area. Mr. Cross will have an inventory display for retail and a small office area. There is a room in the rear that is used as a storage space, which is less than 50% of the building. No outside display of merchandise will be allowed as per ordinance. The building is in fair shape; however, Mr. Cross has agreed to apply new exterior material to the building to improve aesthetics. He has requested that ample time be allotted for these exterior changes to be made.

Parking & Site

The site has a 30 foot drive approach off 3500 S which is not shared with the adjacent residential use. The Utah Department of Transportation (UDOT) is not requiring any changes to the drive approach at this time. However, they have required that one way traffic around the building be clearly marked with inbound traffic on the east side and outbound on the west side. No parking will be permitted in front of the building. The parking area in the rear will be striped with four (4) customer stalls and two large stalls for U-Haul equipment parking. The site paving is worn in several places. Portions on the east and west side of building will need to be improved with new paving.

Landscaping

The site is in need of additional landscaping. Landscaping will be added along the east side of the property and also along the rear of the parking area. There are three large mature trees in the rear with two new trees being added up front. During the study session, the Planning Commission expressed interest in seeing additional landscaping in front of the building. Staff will coordinate with the applicant such that additional landscaping will not impede the flow of traffic on the site.

Hours & Use

The retail hours will be Monday to Saturday 7:30 am to 5:30 pm and Sunday by appointment only. The U-Haul dealer use will operate as a drop off and pickup of equipment. The site will only take additional vehicles or trailers if not at capacity. If the site is full, then it will be advertised as 'closed for drop off' but only as equipment pickup. Mr. Cross will coordinate this. U-Haul equipment will only be stored in the designated parking area.

Lighting

Lighting shall be installed in the rear, if needed, for the minimum lighting levels for parking areas and shall not flood light onto the adjacent residential use.

Signage

The building currently has signage on the front of the building. Mr. Cross anticipates getting new signage and also a monument sign in the landscaping area in front. The site will be allowed one temporary banner

sign to advertise for U-Haul. Temporary signage must be on the building or 20 feet from the property line as per the West Valley Sign Ordinance.

Staff Alternatives:

Approval, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. The approved uses for this site include: General Retail, U-Haul Neighborhood Dealer.
2. There shall be no outside display of merchandise.
3. Improvements shall be made to the building to improve aesthetics as approved by the Planning Commission. These shall be completed within one year of Planning Commission approval.
4. Traffic circulation will be as per UDOT requirements with inbound traffic on the east side and outbound traffic on the west side. Proper striping and signs for one way traffic shall be clearly marked.
5. Parking for U-Haul equipment and trucks shall only be in the designated stalls in the approved site plan. There shall be no parking in general in front of the building.
6. Portions of paving on the east and west sides of the building shall be re-paved.
7. Additional landscaping including in front of the building shall be installed as per approved landscape plans. Landscaping shall be completed by July 1st, 2014. Existing landscaped areas shall be maintained.
8. If at capacity, the site shall not receive additional U-Haul equipment and shall be advertised as “closed for drop off.”
9. Site lighting shall meet the requirements of section 7-9-114 ‘Site Lighting’.
10. All signage shall comply with the West Valley City Sign Ordinance, including all temporary signs.
11. All requirements of affected agencies shall be met including but not limited to the Utah Department of Transportation and West Valley City Building Inspection.
12. All provisions of the West Valley City Code shall be met.
13. The use is subject to review upon valid complaint.

Continuance, to allow the applicant additional time to address the concerns raised at the public hearing.

Applicant:

Cody Cross
3953 S Lance St

Discussion: Kevin Despain presented the application. Jack Matheson asked if the applicant could use additional ground if he paved more of the property. Kevin replied yes but added that it would need to come back to the City for approval. He indicated the applicant has expressed interest in expanding to the west.

Cody Cross, the applicant, stated that he has worked with UDOT to ensure access to the site is safe and effective. He indicated that existing landscaping will be kept and maintained. He indicated that landscaping on the side of the building may be replaced with decorative rock or gravel since it is likely any plants would be run over by the U-Haul trucks. Mr. Cross stated his goal is to eventually purchase the neighboring property, demolish the existing buildings, and construct a new building that isn't such an eyesore. He stated that he is open to working on the existing building but would request a year deadline so that he doesn't invest money into improving the building and then tearing it down to construct a new one. Mr. Cross stated that he can accept or deny arrival of new U-Hauls online based on how many he has on site. Phil Conder asked when the applicant is hoping to remove the existing building. Mr. Cross replied that as soon as the necessary revenue is gained he would like to demolish this building and the neighboring one. He stated that he is open to doing upgrades on the

existing building but doesn't want to invest too much into it since it will hopefully be removed in the near future. Clover Meaders asked if the applicant is open to doing a planter box or landscaping in front of the building. Mr. Cross replied that he could do a planter box but stated he is concerned about traffic flow.

Harold Woodruff and Clover Meaders stated that they didn't feel a planter box was necessary. Commissioner Woodruff indicated that he would like to see the building painted within 6 months. Phil Conder stated that he likes the idea of having a planter box and feels it will help soften the appearance of the property.

Motion: Commissioner Woodruff moved for approval subject to the 13 staff conditions modifying condition number 3 to state: The building shall be painted within 6 months.

Commissioner Meaders seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	No

Unanimous-C-16-2014- Approved

C-17-2014

T-Mobile (Rocky Schutjer)

2935 S. Glen Eagles Dr.

C-2 Zone (1.22 Acres)

T-Mobile is requesting a conditional use for the construction of a fifty-foot stealth monopole light pole at 2935 Glen Eagles Drive. This property is zoned general commercial (C-2) and is located within the 5600 West overlay zone which requires all new development to be reviewed as a conditional use. The West Valley City General Plan designates this area as general commercial. The surrounding zone is C-2 on all sides. A retail development (Verizon and 5-Guys) is located to the north, Mountain America Credit Union is located to the south, a carwash is located to the west and retail and restaurant uses are to the east across 5600 West.

A similar proposal was previously approved by the Planning Commission on January 12, 2011 however the structure was never build so the approval has since expired.

The applicant, Mr. Schutjer, representing T-Mobile, is requesting to locate a combination light pole/ stealth cell tower on the south side of the parking lot adjacent to an existing dumpster enclosure. The proposed pole will be 50-feet tall with a light fixture mounted at 30-feet. It will be painted black to match the light fixtures on the adjacent property. The diameter of the pole would be 18-inches and all of the antenna equipment would be mounted within the pole and would not visible from the outside.

The pole and additional equipment would be located within a 10' x 20' screened area. The enclosure would be 6' tall and constructed of materials that match the adjacent dumpster enclosure.

Staff Alternatives:

- Approval, subject to the resolution of any issues raised at the public hearing and the following conditions:

1. The pole shall be no greater than 18-inches in diameter.
 2. The pole shall be painted black with a light fixture mounted at 30' to match the adjacent light fixtures.
 3. All antennas and cables must be run inside the pole and not visible from the outside.
 4. All supporting ground equipment must be completely screened and located with a 6' tall masonry enclosure that matches the material and colors of the existing building and dumpster enclosure.
 5. Must comply with all other relevant requirements set forth from applicable department and agencies.
- Continuance, to allow for the resolution of any issues raised at the public hearing.

Applicant:

Rocky Schutjer
2181 Hugo Ave.

Discussion: Jody Knapp presented the application. Rocky Schutjer, the applicant, stated that this monopole has been needed and wanted for several years but T-Mobile was unable to proceed due to budget cuts. He indicated there is a lot of cellular congestion and poor data coverage provided in the area and this pole will hopefully rectify these concerns. Jack Matheson asked if the pole is tapered. Mr. Schutjer replied that it will be straight and will provide for a single carrier and no co-location.

Motion: Commissioner Woodruff moved for approval subject to the 5 staff conditions.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Woodruff	Yes
Chairman Conder	Yes

Unanimous-C-17-2014- Approved

PLANNING COMISSION BUSINESS

Approval of Minutes from March 26, 2014 (Regular Meeting) **Approved**

Approval of Minutes from April 9, 2014 (Regular Meeting) **Continued**

Approval of Minutes from April 16, 2014 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:54 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant